

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

<p>UNITED STATES OF AMERICA (Small Business Administration), now Beal Service Corporation, servicing agent for LPP Mortgage, LTD</p> <p>Plaintiff</p> <p>Vs.</p> <p>RUBEN HERNANDEZ CASUL, VIRGINIA HERNANDEZ DE LEON, and the LEGAL CONJUGAL PARTNERSHIP constituted by both, d/b/a Ebanístería Rubén</p> <p>Defendants</p>	<p>CIVIL NO 98-1791 (PG)</p> <p>Collection of Monies and Ordinary Foreclosure of Mortgage Note</p>
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MOTION REQUESTING ISSUANCE OF WRIT OF POSSESSION

TO THE HONORABLE COURT:

COMES NOW Plaintiff, through the undersigned attorneys, and respectfully states and requests:

1. Judgment was entered in this case on September 16, 1998 which became final and executable.
2. The Special Master appointed by the Court was ordered to proceed with a public sale of the mortgage upon the terms stated therein. Said public sale took place on June 13, 2008, at the Humacao Judicial Center, at the Office of the Marshall of the Court of First

Instance, at which sale the highest bid was made by Plaintiff for the bid price of \$470,000.00.

3. According to the Judgment entered by this Honorable Court, the Order for Execution of Judgment dated December 19, 2006, and the language of Puerto Rico of Civil Procedure ("PRRCP") 51.3, Plaintiff has the right to request a Writ of Possession from this Honorable Court so that Plaintiff be placed in physical possession of the sold property, evicting anyone in its possession.

4. In order for the US Marshall or the Special Master to place Plaintiff in physical possession of the sold property, it is requested that this Honorable Court issue an Order directing the Clerk of the Court to issue a Writ of Possession authorizing the US Marshall or the Special Master, either personally or by some person designated by him to act in his name and by his authority, if necessary, to enter the property forcibly and evict any person or property located therein.

WHEREFORE, it is respectfully requested from this Honorable Court that it issue an Order directing the Clerk of the Court to issue a Writ of Possession authorizing the US Marshall or the Special Master, either personally or by some person designated by him to act in his name and by his authority, if necessary, to enter the property forcibly and evict any person or property located therein.

RESPECTFULLY SUBMITTED. In San Juan, on August 22, 2008.

I HEREBY CERTIFY, that on this date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all the attorneys of record.

CARLOS R. SOSA PADRO LAW OFFICE

PO Box 191682

San Juan PR 00919-1682

Tel: (787) 250-0081

Fax: (787) 250-0078

Email: crsplaw@prtc.net

S/Jenaro A. Medina Rosario

JENARO A. MEDINA ROSARIO

USDC-PR #214407